



VFSB BURN BUILDING POLICY FIRE SERVICE GRANT PROGRAM

Grant Awards to Construct, Renovate or Repair
Burn Buildings throughout the Commonwealth

**VIRGINIA DEPARTMENT OF FIRE PROGRAMS
VIRGINIA FIRE SERVICES BOARD
1005 Technology Park Drive
Glen Allen, Virginia 23059-4500
Tel: (804) 371-0220
Fax: (804) 371-0219**

www.vafire.com

A) PURPOSE

In accordance with §38.2-401-D of the *Code of Virginia*, the Fire Service Grant Program was established to provide defined grants to Virginia localities seeking to construct or repair burn buildings. The purpose of these unoccupied structures is to provide live fire training to fire service personnel throughout the Commonwealth.

B) GENERAL OVERVIEW

Grant disbursements to eligible jurisdictions for burn building construction, renovation, or repairs are administered by the *Virginia Department of Fire Programs* from the Commonwealth's *Fire Programs Fund* as provided for in the *Code of Virginia* (§38.2-401:D) and consistent with policy guidance provided by the *Virginia Fire Services Board* as set forth within this document. All grants to construct or renovate burn buildings shall be approved by the *Virginia Fire Services Board*. All grants to repair burn buildings shall be approved by the Department of Fire Programs as directed in this document.

C) CODE OF VIRGINIA CITATION

- 1) §38.2-401 and §9.1-203 of the *Code of Virginia* as amended – “Fire Programs Fund,” is incorporated herein by reference.
- 2) *The Virginia Administrative Code*:
 - 19VAC15-40-10. Fire Related Training
 - 19VAC15-40-90. Good cause Prohibition of Local Training Appeal
 - 19VAC15-40-100. Fire Training Center

D) PRECEDENTS OF LAW & DISCLAIMER

Nothing contained within this document shall or be construed to supercede the applicable laws and regulations of the Commonwealth of Virginia. In the event of a conflict the applicable law shall supersede the conflicting provision of this policy statement.

E) DEFINITION OF TERMS

Architect/Engineering (A/E) Fees – Grant awards for construction projects may include up to \$30,000⁰⁰ in additional monies for A/E fees and expenses. These fees and expenses shall include adapting the approved model structure design to the selected site, featuring contract drawings and specifications, and providing limited construction services, including:

- ♦ Shop drawing review,
- ♦ Up to six (6) site visits, and
- ♦ The solutions to technical questions.

Burn Building – A permanent structure whose sole use from ‘point of initial construction’ is/was for the purpose of training firefighters in a ‘live flame’ experience.

Such scenario to generally be accomplished by the supervised deliberate setting of a fire or establishment of a dense smoke environment within the structure from which to practice fire suppression and other allied fire attack skills. *As such, the structure is not/was never intended for or otherwise to be used as an occupied dwelling.*

Burn Building Construction Project – A project to build a new or replacement burn building. Construction projects are approved by the Virginia Fire Services Board in accordance with this Policy.

Burn Building Renovation/Addition Project _ - A project to renovate an existing burn building; add an addition to an existing burn building; conduct repairs or renovations that involve structural components of the burn building; or conduct repairs that exceed the funding authorized for a Burn Building Repair Project. Renovation Projects are approved by the Virginia Fire Services Board in accordance with this Policy.

Burn Building Repair Project – A project to conduct a repair to an existing burn building that does not exceed \$10,000. Projects allowed in this category include: Temperature monitoring equipment repairs and maintenance; thermal lining tile repair and replacement; sacrificial block wall replacements (cinder block walls installed in lieu of thermal tiles); minor, non-structural, spalled concrete repair; door/window repairs; or similar repairs. Projects that involve repairs to structural components and/or projects that exceed \$10,000 are not eligible to be funded as a Repair Project. Cosmetic work such as painting and cleaning are not eligible to be funded as a burn building project. Repair Projects that meet the scope and intent of this policy may be approved by the Virginia Department of Fire Programs.

Eligible Jurisdiction – Localities within the Commonwealth of Virginia otherwise eligible (§38.2-401 et al) to receive *Aid to Localities* from the *Fire Programs Fund*; nominally all **Counties, Independent Cities, and incorporated Towns** within those counties; herein also referred to simply as *Jurisdiction* or *Locality*.

Lead Locality – In the event that an award is to be made for a Burn Building serving more than one eligible jurisdiction, then that consortium of eligible jurisdictions shall identify one of their own to serve as the agent for all; such agency shall include the intake and custody of grant funds, the filing of reports, and all administrative interface with the Agency. Therefore, the lead locality shall likewise both:

- Make application on behalf of all parties involved; and
- Enter into and be solely answerable for contractual arrangements.

F) DISBURSEMENT OF FUNDS

1. Disbursements from the VIRGINIA FIRE SERVICE GRANT PROGRAM for burn buildings are made as a grant to a specified jurisdiction or a lead locality – one acting on behalf of multiple eligible jurisdictions. Consistent with other provisions of this document, payments are not made until the completion by/or through that locality of an instrument contractually binding the locality to adhere to the terms and conditions of the grant. The jurisdiction's Chief Operating Officer – i.e, City Manager, County Administrator, or Town Chief Operating Officer – shall, acting as the jurisdiction's exclusive agent, execute such an agreement/contract where periodic withdrawals are made at various intervals as specified in the contract. (Disbursements are never made to individual Fire Departments.)
2. The following pertains to the receipt of monies by eligible jurisdictions:
 - a) Payments of any grant will be provided solely through an electronic transfer of funds to a banking institution.
 - b) Transfer amounts –
 - i. New Construction – Payments will be made at five (5) benchmarks: The payment for Architect/Engineering fees is at the completion of that work; the first 25% of the grant award is payable upon issue of the building permit; the remaining 3 installments of 25% each shall be issued upon completion of 50%, 75%, and 100% of the work. The payments will be issued after receipt of a certificate of completion of each stage by a design professional registered in the Commonwealth of Virginia
 - ii. Renovations – Payments will be made in up to two (2) payments as determined by the Agency for the total amount approved by the Board. Payment of more than an approved amount will not be made without consent of the Board.
 - iii. Repairs – Payments for repair projects completed in accordance with the approved application package will be authorized by the Department of Fire Programs upon completion of the repair project.
 - c) All funds **must** be deposited into an **interest-bearing account** of normal risk and with a demand restriction, if any, not exceeding 30-calendar days. (Monies may not be deposited into *Certificates of Deposit* or any other such instrument(s) which substantially hinder liquidity.)
 - d) Any interest earned by funds so deposited may be utilized by the eligible jurisdiction in the construction or renovation of their Burn Building. The eligible jurisdiction shall be fully accountable for **BOTH** the ***Principle*** and the ***Interest***.
3. **Use of Funds** – Grant funds may not be used for anything other than Burn Building construction or renovation as specified in the contract between parties.
4. Grants shall be made upon availability of funds consistent with the then current 'spending plan'/'burn building schedule" as adopted from time-to-time by the Board.

5. Repairs shall be evaluated by the Agency in the order in which they are received, and if a request for funds meets the requirements then it shall be funded up to \$10,000 or the remainder of the funds in the account if less than \$10,000.

G) GRANT APPLICATION

Any eligible jurisdiction may make application at any time during the calendar year for a Burn Building grant by completing and filing the prescribed form. Grant applications should be sent directly to:

**Grants and Local Aid Manager
Virginia Department of Fire Programs
Attn: Burn Building Grant Administration
1005 Technology Park Drive
Glen Allen, VA 23059-4500**

The filing of an otherwise completed grant application by an eligible jurisdiction in no way binds the Agency to disburse any FIRE PROGRAMS FUND monies, including a Burn Building grant, to that locality.

The determination of eligibility, and that of any potential amount or other conditions shall be consistent solely with guidance and practices contained within this or any successor document.

H) GRANT AWARD

1. Construction and Renovation Projects – Grants for the Construction of new Burn Buildings and for the renovation of existing burn buildings are made by the Virginia Fire Services Board in accordance with this policy based upon the needs of the Commonwealth's Fire Service and the availability of funds.
2. Repair Projects – Grants for the repair of existing burn buildings are reviewed by the Virginia Department of Fire Programs. Those proposed projects that meet the scope and intent of this policy may be awarded by the Department of Fire Programs based upon the guidelines in this policy and the availability of funding. Those proposed projects that the Department believes does not meet the scope or intent of this policy will be forwarded to the Virginia Fire Services Board for review and final action.

I) TERM OF GRANT

During the grant period, all repair and construction work is to be completed and all documentation pertaining to such activities shall be submitted to the Agency in a timely manner. Additionally, within 30-calendar days after the conclusion of the grant period, all unexpended funds – including any interest accrual remaining – shall be returned to the Agency.

1. **Return of Unexpended Funds by Check:** Funds being returned to the Agency via a check:
 - Must be made payable to the *Treasurer of Virginia*, and

- Forwarded to the attention of the Agency at the address specified in [G] above. (Funds are **NOT** to be sent directly to the Treasurer's Office or any other State agency.)
2. **Direct Deposit:** Funds may also be returned to the Agency via electronic transfer as may be provided for within the contractual agreement among parties.

J) EXTENSIONS

An extension of up to 90-days may be granted by THE AGENCY. All requests for extension must be received by the Agency not less than 30-calendar days **prior** to the scheduled termination of the original grant period. Such requests must list the compelling reason(s) for extension and/or circumstance(s) that prevent project completion by the end of the initial grant period. Extension requests for any period of time greater than 90-days will need to be addressed by the Virginia Fire Services Board for approval; such should always be directed to the Agency's EXECUTIVE DIRECTOR, at the same address as listed in [G] above; the Agency shall be responsible for the timely transmittal to Board members.

K) MAXIMUM AMOUNT

1. There shall be a cap on the maximum amount of funds to be awarded in any single grant for either totally new or the replacement of an existing Burn Building; the current cap is \$400,000.00. An additional amount up to \$30,000.00 shall be available to offset A/E costs pertaining to site adaptation.
2. The maximum amount of funds to be awarded for any renovation project will be set by the Virginia Fire Services Board, but in no case will it exceed the cap that can be awarded for a new or replacement building.
3. The maximum amount of a repair project award shall not exceed \$10,000 per project and no burn building will be funded over \$10,000 per fiscal period (July 1 – June 30)

L) REPORTING REQUIREMENTS

Localities shall provide progress reports to VDFP every ninety (90) days until their project is completed. The foregoing measured from the date of the transfer of funds to the eligible jurisdiction. Reports shall be made to the VDFP Division Office specified in the agreement among parties. (Information contained within such reports shall be made available by the Agency to the members of the Virginia Fire Services Board.)

M) INSURANCE

No person or entity shall commence construction or repair work, unless and until such person or entity has obtained all insurance required by the "Virginia Fire Services Grant Fund Agreement" from insurers licensed to provide such insurance in the Commonwealth of Virginia. These types of insurance must be maintained at all times when any construction or repair work is being performed. Before any such work commences, the locality shall submit to VDFP a Certificate of Coverage or Certificate of Insurance evidencing that the required insurance coverage is in effect for the appropriate entities, including coverage for subcontractors. The locality must be named as an additional insured party for certain types of insurance as specified in the "Virginia Fire Services Grant Fund Agreement".

N) AUTHORIZATION FOR RENOVATIONS

The Agency shall authorize repair work as identified by the jurisdiction within their application. The foregoing authorization upon verification by a licensed Engineer duly authorized to conduct business in Virginia as to scope of need. The cost of such survey may be part of any total grant. Localities making application for a grant for repairs to their Burn Building and choosing to obtain an Engineer's review in advance of submission, may therefore include the eventual reimbursement for this cost as part of their total grant request.

O) FULL CONSTRUCTION REQUIREMENTS

To be eligible for any grant award to construct a new or replacement burn building the recipient shall agree to expend such funds to either construct...

- The prototype from plans provided by the Agency – sometimes referred to as the "South Boston Model."

-or-

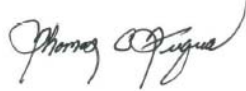
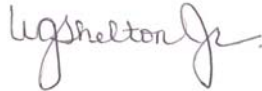
- A stand-alone burn building or other structure whose burn building part shall meet the outline/performance specifications provided in Attachment B to this document.
- From the time such new construction or said repair is authorized to begin, the lead locality shall one (1) year to begin and one additional year to complete the actual construction or repair. Should they fail to meet this deadline or request an extension (Section I), the award will expire and the application shall be resubmitted.

P) OWNERSHIP OF SITE

1. **NEW CONSTRUCTION:** It is required that the eligible jurisdiction or other governmental entity own the site (land) and not be subject to any restriction or limitation that would prohibit or impair the use of the property as a burn building.
2. **RENOVATIONS:** It is strongly recommended that the eligible jurisdiction or other governmental entity own the site (land) and not be subject to any restriction or limitation that would prohibit or impair the use of the property as a burn building. On a case-by-case basis, VFSB may consider a long-term lease. The length of the lease shall be consistent with the expected life of the building.

CERTIFICATION:

We the undersigned as Chairman of the Virginia Fire Services Board and Executive Director of the Virginia Department of Fire Programs jointly adopt the foregoing policy as such **supercedes the prior policy of December 3, 1999; effective this 13th day of October 2005.**

	
Tommy C. Fuqua Chairman Virginia Fire Services Board	W.G. Shelton, Jr. Executive Director Virginia Department of Fire Programs